

VZCZCXYZ0005
PP RUEHWEB

DE RUEHBO #1304/01 0991751
ZNY CCCCC ZZH
P 081751Z APR 08
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC PRIORITY 2291
INFO RUEHBR/AMEMBASSY BRASILIA PRIORITY 8130
RUEHCV/AMEMBASSY CARACAS PRIORITY 0208
RUEHPE/AMEMBASSY LIMA PRIORITY 6077
RUEHZP/AMEMBASSY PANAMA PRIORITY 1477
RUEHQT/AMEMBASSY QUITO PRIORITY 6736
RUEKJCS/SECDEF WASHDC PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RHMFIUU/FBI WASHINGTON DC PRIORITY
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RHMFISS/CDR USSOUTHCOM MIAMI FL PRIORITY

C O N F I D E N T I A L BOGOTA 001304

SIPDIS

SIPDIS

E.O. 12958: DECL: 04/03/2018
TAGS: [PREL](#) [PREF](#) [PTER](#) [PHUM](#) [CO](#)
SUBJECT: NEW ARRESTS IN PARA-POLITICAL SCANDAL GENERATE
CALLS FOR EARLY VOTE AND REFORM

Classified By: Political Counselor John S. Creamer
Reason 1.4 (b) and (d)

SUMMARY

¶1. (U) Three additional members of Congress, including a former Senate president, were arrested for alleged ties to paramilitaries, bringing to 28 the total of members jailed in the scandal. Twenty-six others remain under investigation. Key members of the GOC coalition are among those detained. The arrests triggered calls from some in Congress and the media to revoke Congress and hold early elections. President Uribe said he opposes revocation, and Congress continues to function. GOC coalition member Senator Cepeda and opposition Senator Cristo told us political reform legislation, which would penalize parties with a loss of seats for ties to illegal groups, would help address structural problems as the Courts and prosecutors continue their investigations. END SUMMARY.

HIGH-PROFILE ARRESTS IN CONGRESS

¶2. (U) Three more members of Congress, including a former Senate president, were arrested for alleged ties to paramilitaries on March 31, bringing the total number of Congressmen jailed in the scandal to 28. Twenty-six more members are under investigation. A majority of those involved are from the governing coalition, but six opposition Liberal Party members have also been implicated. Four members of Congress have been convicted or plead guilty to aggravated conspiracy charges, receiving sentences of four to six years in prison. Representative Jose de los Santos Negrette was jailed and later released for lack of evidence. He is back in Congress. In comparison, 26 members of Congress were jailed in the 1990s for ties to narcotraffickers during the "Proceso 8000" investigation.

¶3. (U) The growing number of Congressmen implicated undermines the institution's credibility and raises doubts about its ability to do its job. Newly arrested Congressmen include former Senate president Senator Miguel Pinedo and opposition Liberal Party Senator Luis Velasco. The Supreme Court also recently ordered the arrest of another former

Senate president and whip for key GOC legislation, Senator Luis Gomez Gallo of the governing coalition Conservative Party, and Cambio Senator Reuben Dario Quintero. Pinedo was one of the most experienced deal makers in Congress and was widely liked on both sides of the aisle. Both Velasco and Quintero were members of the powerful First Commission of the Senate, responsible for constitutional issues, including consideration of a possible third term for Uribe.

SOME CALL FOR NEW CONGRESSIONAL ELECTIONS

¶4. (U) The increasing reach of the scandal has generated calls in the media and political circles to revoke the mandate of the Congress and hold early elections. U Party Senator Gina Parody called for the Congress to be dissolved to "re-legitimize" the institution, since some replacement members arrived having garnered only 4000 votes. The Conservative Party newspaper Nuevo Siglo urged Uribe to revive his earlier proposal to change Colombia's bicameral legislature to a unicameral system. Many on the left and in the media questioned whether the Congress would be able to function with 20 percent of its members either in jail or under investigation for para ties.

¶5. (C) Revoking Congress would be a complex and lengthy process requiring constitutional change, and many consider the calls for revocation unrealistic. Any effort to revoke Congress and hold early elections would require a referendum, constituent assembly, or bill modifying the constitution--all would have to pass through the Congress. These procedures would take months to complete, so any new elections would occur only a short time before regularly scheduled elections

in 2010. When asked about the prospects of Congress approving such a move, opposition Polo Democratico Representative Wilson Borja told us, "sharks don't commit suicide."

INSTITUTIONS ARE FUNCTIONING

¶6. (C) President Uribe immediately rejected the revocation idea, saying Colombia needs to allow key institutions -- the Courts and Congress -- to function. "We cannot jump into a giant void," Uribe said, "we need to strengthen the Congress." Interior and Justice Minister Carlos Holguin added that despite the arrests, Congress is functioning with implicated members being replaced through constitutional norms. Replacement members fill the gaps left by departing members in the same way they would after elections or the death of a member. Liberal Party leader and former-President Cesar Gaviria said he would favor early elections for Congress, but only if new presidential elections were held as well--a position Liberal Senator Juan Fernando Cristo told us was a politically expedient non-starter.

LONG-TERM REFORM ON TRACK

¶7. (C) Opposition Liberal Representative Carlos Piedrahita told us the arrests represented good news, not bad. The process would move Congress towards the long-term solution of structural political reform. "These arrests are painful, but healthy," he said, "and show the courts and prosecutors are doing their jobs." Conservative Party leader Senator Efraim Cepeda and Senator Cristo agreed the arrests are dealing with the short-term problem of illegitimate members, while opening space to address underlying systemic problems through reform legislation.

¶8. (U) Cepeda said that he expected that reform legislation would pass by June. The bill was introduced last year and has passed through four of the eight votes needed to become law. The reform bill would penalize any party with the loss

of the seat of any member(s) found to have ties to illegal armed groups. Any party with half its members implicated would lose its legal status and right to run candidates. A party would need to win five percent of total votes cast (up from two percent) to maintain its legal status--a provision designed to limit the number of small, regional parties that have been heavily implicated in the para scandal. Finally, the votes of members implicated would be removed from party totals, which could put several small parties below the threshold required to maintain legal status.

BROWNFIELD